



6-04-04

Patent
1638
RCE
RfW

Attorney Docket No. 028750-219

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MAIL STOP: RCE

Randy Dinkins et al.

Group Art Unit: 1638

Application No.: 10/067,989

Examiner: ANNE R KUBELIK

Filing Date: February 8, 2002

Confirmation No.: 9928

Title: TRANSGENIC PLANTS EXPRESSING MinD OR MinE AND AN EFFICIENT METHOD FOR PLANT CHLOROPLAST TRANSFORMATION AND GENE EXPRESSION

**REQUEST FOR CONTINUED EXAMINATION
TRANSMITTAL LETTER**

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer Number **2 1 8 3 9**

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the

☒ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1. ☒ A. Applicant(s) requests that any previously unentered after final amendments not be entered.
Continued examination is requested based on the enclosed documents identified in item 2 below.

☐ B. Applicant(s) previously submitted the following documents for which continued examination is requested:

☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other: _____

2. The following documents are enclosed with this submission:

☒ Amendment/Reply. 06/07/2004 MAHME1 00000057 024800 10067989

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement (IDS).

01 FC:2801 385.00 DA

☒ A Petition for Extension of Time.

☒ Other: Notice of Appeal

3. ☒ Small entity status is hereby claimed.
☒ No additional claim fee is required.
☐ The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

CLAIMS					
	No. of Claims	Highest No. of Claims Thus Paid For	Extra Claims	Rate	Fee
Basic Application Fee (1001)					\$ 770.00
Total Claims		MINUS =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$86.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Fee					\$ 770.00
<input checked="" type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Amendment Fee					\$ 385.00
TOTAL FEE DUE					\$ 385.00

4. ☐ A check in the amount of _____ is enclosed for the fee due.
5. ☒ Charge \$ 385.00 to Deposit Account No. 02-4800 for the fee due.
6. ☐ Charge _____ to credit card. Form PTO-2038 is attached.
7. ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By Sherry M. Carly
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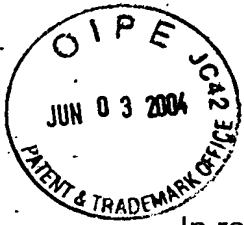
Filed: June 3, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label No.: EV 171049375 US Date of Deposit: June 3, 2004

Sandra B. Paye
Sandra B. Paye

Typed Name:



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For: TRANSGENIC PLANTS
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PLANT CHLOROPLAST
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EXPRESSION

) **MAIL STOP RCE**

) Group Art Unit: 1638

) Examiner: Anne R. Kubelik

) Confirmation No.: 9928

SUBMISSION UNDER 37 C.F.R. § 1.114(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 3, 2003, and the Advisory Action mailed April 14, 2004, please amend the above-identified patent application as follows. A one-month extension of time was paid on April 5, 2004, and an additional two-month extension of time has been requested and the corresponding fee paid extending the time period of response until June 3, 2004.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 8 of this paper.